

AMENDMENTS TO LB 958

(Amendments to Standing Committee amendments, AM3226)

1 1. Insert the following new sections:

2 "Sec. 8. Sections 8 to 14 of this act shall be known and
3 may be cited as the Human Cloning Prohibition Act.

4 Sec. 9. It is the purpose of the Human Cloning
5 Prohibition Act to prohibit human cloning and to protect important
6 areas of medical research, including stem cell research.

7 Sec. 10. For purposes of the Human Cloning Prohibition
8 Act:

9 (1) Donating means giving without receiving valuable
10 consideration;

11 (2) Fertilization means the fusion of an oocyte
12 containing a haploid nucleus with a male gamete;

13 (3) Human cloning means implanting or attempting to
14 implant the product of nuclear transplantation into a uterus or the
15 functional equivalent of a uterus;

16 (4) Human somatic cell means any human cell other than a
17 haploid germ cell;

18 (5) Nuclear transplantation means transferring the
19 nucleus of a human somatic cell into an oocyte from which the
20 nucleus or all chromosomes have been or will be removed or rendered
21 inert;

22 (6) Nucleus means the cell structure that houses the
23 chromosomes;

1 (7) Oocyte means the female germ cell, the egg;

2 (8) Unfertilized blastocyst means an intact cellular
3 structure that is the product of nuclear transplantation.

4 Unfertilized blastocyst does not include stem cells, other cells,
5 cellular structures, or biological products derived from an intact
6 cellular structure that is the product of nuclear transplantation;
7 and

8 (9) Valuable consideration does not include reasonable
9 payments (a) associated with the transportation, processing,
10 preservation, or storage of a human oocyte or of the product of
11 nuclear transplantation research or (b) to compensate a donor of
12 one or more human oocytes for the time or inconvenience associated
13 with such donation.

14 Sec. 11. (1) It is unlawful for any person or other
15 legal entity, public or private: (a) To conduct or attempt to
16 conduct human cloning; or (b) to ship or receive the product of
17 nuclear transplantation for the purpose of human cloning.

18 (2) This section does not restrict practices not
19 expressly prohibited in this section.

20 Sec. 12. (1) Any person who intentionally violates the
21 Human Cloning Prohibition Act is guilty of a Class IV felony.

22 (2) Any property, real or personal, derived from or used
23 to commit a violation or attempted violation of the act or any
24 property traceable to such property shall be subject to forfeiture
25 to the State of Nebraska.

26 (3) This section does not give any individual or person a
27 private right of action.

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1 Sec. 13. Research involving nuclear transplantation
2 shall be conducted in accordance with 45 C.F.R. part 46 subpart A
3 or 21 C.F.R. parts 50 and 56, as such regulations existed on the
4 effective date of this act.

5 Sec. 14. (1) A somatic cell nucleus shall not be
6 transplanted into a human oocyte that has undergone or will undergo
7 fertilization.

8 (2) An unfertilized blastocyst shall not be maintained
9 after more than fourteen days from its first cell division, not
10 including any time during which it is stored at a temperature of
11 zero degrees centigrade or less.

12 (3) (a) An oocyte may not be used in nuclear
13 transplantation research unless such oocyte has been donated
14 voluntarily by and with the informed consent of the woman donating
15 the oocyte.

16 (b) No human oocyte or unfertilized blastocyst may be
17 acquired, received, or otherwise transferred for valuable
18 consideration."

19 2. Renumber the remaining sections accordingly.